

ratios for “analog TV-into-DTV” specified in §§ 73.623(c)(2) and 73.623(c)(3) of this part. For digital Class A TV station protection, the TV broadcast station field strength is calculated from the proposed effective radiated power and the antenna height above average terrain in pertinent directions using the methods in § 73.684 of this part and using the appropriate F(50,10) chart from Figure 9a, 10a, or 10c of § 73.699 of this part.

(i) In cases where a TV broadcast station has been authorized facilities that do not meet the interference protection requirements of this section, an application to modify such a station’s facilities will not be accepted if it is predicted to cause new interference within the protected contour of the Class A TV or digital Class A TV station.

(j) In support of a request for waiver of the interference protection requirements of this section, an applicant for a TV broadcast station may make full use of terrain shielding and Longley-Rice terrain dependent propagation methods to demonstrate that the proposed facility would not be likely to cause interference to Class A TV stations. Guidance on using the Longley-Rice methodology is provided in *OET Bulletin No. 69*, which is available through the Internet at <http://www.fcc.gov/oet/info/documents/bulletins/t69>.

[65 FR 3001, May 10, 2000]

#### § 73.614 Power and antenna height requirements.

(a) *Minimum requirements.* Applications will not be accepted for filing if they specify less than -10 dBk (100 watts) horizontally polarized visual effective radiated power in any horizontal direction. No minimum antenna height above average terrain is specified.

(b) *Maximum power.* Applications will not be accepted for filing if they specify a power which exceeds the maximum permitted boundaries specified in the following formulas:

(1) Channels 2-6 in Zone I:

$$ERP_{\text{Max}} = 102.57 - 33.24 * \log_{10}(\text{HAAT})$$

And,

$$-10 \text{ dBk} \leq ERP_{\text{Max}} \leq 20 \text{ dBk}$$

(2) Channels 2-6 in Zones II and III:

$$ERP_{\text{Max}} = 67.57 - 17.08 * \log_{10}(\text{HAAT})$$

And,

$$10 \text{ dBk} \leq ERP_{\text{Max}} \leq 20 \text{ dBk}$$

(3) Channels 7-13 in Zone I:

$$ERP_{\text{Max}} = 107.57 - 33.24 * \log_{10}(\text{HAAT})$$

And,

$$-4.0 \text{ dBk} \leq ERP_{\text{Max}} \leq 25 \text{ dBk}$$

(4) Channels 7-13 in Zones II and III:

$$ERP_{\text{Max}} = 72.57 - 17.08 * \log_{10}(\text{HAAT})$$

And,

$$15 \text{ dBk} \leq ERP_{\text{Max}} \leq 25 \text{ dBk}$$

(5) Channels 14-69 in Zones I, II, and III:

$$ERP_{\text{Max}} = 84.57 - 17.08 * \log_{10}(\text{HAAT})$$

And,

$$27 \text{ dBk} \leq ERP_{\text{Max}} \leq 37 \text{ dBk}$$

Where:

$ERP_{\text{Max}}$  = Maximum Effective Radiated Power measured in decibels above 1 kW (dBk).

HAAT = Height Above Average Terrain measured in meters.

The boundaries specified are to be used to determine the maximum possible combination of antenna height and  $ERP_{\text{dBk}}$ . When specifying an  $ERP_{\text{dBk}}$  less than that permitted by the lower boundary, any antenna HAAT can be used. Also, for values of antenna HAAT greater than 2,300 meters the maximum ERP is the lower limit specified for each equation.

(6) The effective radiated power in any horizontal or vertical direction may not exceed the maximum values permitted by this section.

(7) The effective radiated power at any angle above the horizontal shall be as low as the state of the art permits, and in the same vertical plane may not exceed the effective radiated power in either the horizontal direction or below the horizontal, whichever is greater.

(c) *Determination of applicable rules.* The zone in which the transmitter of a television station is located or proposed to be located determines the applicable rules with respect to maximum antenna heights and powers for VHF stations when the transmitter is located in Zone I and the channel to be employed is located in Zone II, or the transmitter is located in Zone II and

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the channel to be employed is located in Zone I.

[28 FR 13660, Dec. 14, 1963, as amended at 42 FR 20823, Apr. 22, 1977; 42 FR 48881, Sept. 26, 1977; 47 FR 35990, Aug. 18, 1982; 50 FR 23698, June 5, 1985; 56 FR 49707, Oct. 1, 1991; 58 FR 51250, Oct. 1, 1993]

### § 73.615 Administrative changes in authorizations.

In the issuance of television broadcast station authorizations, the Commission will specify the transmitter output power and effective radiated power to the nearest 0.1 dBk. Power specified by kW shall be obtained by converting dBk to kW to 3 significant figures. Antenna heights above average terrain will be specified to the nearest meter. Midway figures will be authorized in the lower alternative.

[50 FR 23698, June 5, 1985]

### § 73.621 Noncommercial educational TV stations.

In addition to the other provisions of this subpart, the following shall be applicable to noncommercial educational television broadcast stations:

(a) Except as provided in paragraph (b) of this section, noncommercial educational broadcast stations will be licensed only to nonprofit educational organizations upon a showing that the proposed stations will be used primarily to serve the educational needs of the community; for the advancement of educational programs; and to furnish a nonprofit and noncommercial television broadcast service.

(1) In determining the eligibility of publicly supported educational organizations, the accreditation of their respective state departments of education shall be taken into consideration.

(2) In determining the eligibility of privately controlled educational organizations, the accreditation of state departments of education or recognized regional and national educational accrediting organizations shall be taken into consideration.

(b) Where a municipality or other political subdivision has no independently constituted educational organization such as, for example, a board of education having autonomy with respect to carrying out the municipal-

ity's educational program, such municipality shall be eligible for a noncommercial educational television broadcast station. In such circumstances, a full and detailed showing must be made that a grant of the application will be consistent with the intent and purpose of the Commission's rules and regulations relating to such stations.

(c) Noncommercial educational television broadcast stations may transmit educational, cultural and entertainment programs, and programs designed for use by schools and school systems in connection with regular school courses, as well as routine and administrative material pertaining thereto.

(d) A noncommercial educational television station may broadcast programs produced by or at the expense of, or furnished by persons other than the licensee, if no other consideration than the furnishing of the program and the costs incidental to its production and broadcast are received by the licensee. The payment of line charges by another station, network, or someone other than the licensee of a noncommercial educational television station, or general contributions to the operating costs of a station, shall not be considered as being prohibited by this paragraph.

(e) Each station shall furnish a nonprofit and noncommercial broadcast service. Noncommercial educational television stations shall be subject to the provisions of § 73.1212 to the extent that they are applicable to the broadcast of programs produced by, or at the expense of, or furnished by others. No *promotional announcements on behalf of for profit entities* shall be broadcast at any time in exchange for the receipt, in whole or in part, of consideration to the licensee, its principals, or employees. However, acknowledgements of contributions can be made. *The scheduling of any announcements and acknowledgements may not interrupt regular programming.*

NOTE: Commission interpretation of this rule, including the acceptable form of acknowledgements, may be found in the Second Report and Order in Docket No. 21136 (Commission Policy Concerning the Noncommercial Nature of Educational Broadcast Stations), 86 F.C.C. 2d 141 (1981); the Memorandum Opinion and Order in Docket No.